


Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 S on June 30, 2004.

Michael H. Baniak / Allison M. Dudley

Name of applicant, assignee or registered representative

 June 30, 2004

Signature Date



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/051,316  
Applicant(s) : Alfred Thomas et al.  
Filed : January 18, 2002  
Title : METHOD AND APPARATUS FOR  
A SECONDARY GAME PLAYED  
IN CONJUNCTION WITH A  
PRIMARY GAME  
TC/A.U. : 3714  
Examiner : Carmen D. White  
Docket No. : 2100/17

Confirmation No. 8018

**RESPONSE**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action dated March 26, 2004 consideration of the following remarks, and withdrawal of the outstanding rejections, is respectfully requested. New art has been applied by the Examiner, and for reasons made apparent herein, Applicants find the art very distinguishable from the invention as claimed.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

94 1fw 3714/1

Attorney Docket No.	2100/17
Application Number	10/051,316
Filing Date	January 18, 2002
First Named Inventor	Alfred THOMAS et al.
Group Art Unit	3714
Examiner	Carmen D. White

✓

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Amendment / Response to Final Office Action mailed March 26, 2004. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Extension of Time Request (duplic) + check 1-month <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449, art <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawings <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Applicant claims small entity status. <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below): <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-0930</u> . A duplicate copy of this sheet is enclosed.		

## CALCULATION OF FEE

					Small Entity		or	Large Entity	
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total	103	Minus	111	0	x \$9=	0		x \$18=	
Indep.	10	Minus	11	0	x \$43=	0		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=	---		+ \$290=	
					total add'l fee			total add'l fee	
					\$ 0			\$ 0	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael H. Baniak, Reg. No. 30,608 Allison M. Dudley, Reg. No. 50,545 BANIAK PINE & GANNON 150 N. Wacker Drive, Suite 1200 Chicago, Illinois 60606		
Signature		Date:	June 30, 2004

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